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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

ROBERT MARBERGER,

Plaintiff,

VS .

CIVIL ACTION NO. 3:22-02375-TLW

JEREMY R. NIVENS, JAMES MILLER AND
COWAN EQUIPMENT LEASING,
Defendants.

DEPOSITION OF: ROBERT F. MARBERGER
(APPEARING VIA VIRTUAL ZOOM)

DATE: November 30, 2022

TIME: 10:52 AM

LOCATION OF
THE DEPONENT: 318 North Sandy Hill Road
Coatesville, PA

TAKEN BY: Counsel for the Defendants

REPORTED BY: TERRI L. BRUSSEAU
(APPEARING VIA VIRTUAL ZOOM)

1 Q. Okay.

2 A. That was shortly after I was out of the
3 Navy. I couldn't tell you exactly how long.

4 Q. Okay. What do you do for work now?

5 A. I haven't been working since the
6 accident.

7 Q. Okay. What were you doing for work at
8 the time of the accident?

9 A. We had a produce market at our house.
10 And it was shut down by COVID, so at the time of
11 the accident we had -- they had just let us open
12 again.

13 Q. Okay. So you own a produce market and
14 it was operating out of your Dove Drive address?

15 A. Yes.

16 Q. Okay. Do you grow the produce or is
17 the produce brought to you to sell?

18 A. Some of it we grow and some of it I
19 bought at the auctions.

20 Q. Okay. What types of produce were you
21 selling?

22 A. Vegetables.

23 Q. Just any --

24 A. Yes, depending what time of year it
25 was, had different vegetables.

1 unit.

2 Q. Do you remember how long you were in
3 the first hospital?

4 A. I don't remember, but I was -- I was at
5 McLeod Regional Trauma Center later that same day,
6 so...

7 Q. Okay. How long did you stay at McLeod?

8 A. Fifteen days.

9 Q. What all did they do to you while you
10 were at McLeod for 15 days?

11 A. Well, first couple days I'm not really
12 sure. I know that I -- I started to lose -- I was
13 having hallucinations of people attacking my child,
14 so they put me in a coma.

15 Q. Okay. So for the first few days at
16 McLeod, you were kind of in and out?

17 A. Yes. For the first week.

18 Q. Did they do any surgeries on you while
19 you were at McLeod?

20 A. I don't know for sure. I know they
21 gave me a blood transfusion and gave me
22 Hepatitis B.

23 Q. Do you believe that you contracted
24 Hepatitis B from a blood transfusion?

25 A. Yes. It's the only blood transfusion I

1 ever had.

2 Q. Now, forgive my ignorance. Is
3 Hepatitis B one of the ones that's curable and goes
4 away after awhile?

5 A. No.

6 Q. So you believe that's a permanent
7 disease?

8 A. Yes. The doctors told me. I have to
9 take a pill every day for the rest of my life.

10 Q. Did the hospital say sorry to you for
11 that?

12 A. I -- I haven't talked to any of them.

13 Q. Okay. So after 15 days at McLeod, were
14 you discharged to home or were you discharged to a
15 facility in Pennsylvania?

16 A. To home.

17 Q. Okay. Who took you back home?

18 A. My friend Skip drove down there and
19 picked us up, picked me and Captain up and brought
20 us back to 213 Dove Drive.

21 Q. And from the time you got home, about
22 how long was it before you got back in to see a
23 doctor?

24 A. The next day.

25 Q. At the Penn Medicine system?

1 Q. So you don't know --

2 A. I don't know what they did.

3 Q. Do you remember telling anybody what
4 had happened at the hospital or in the ambulance?

5 A. No.

6 Q. Okay. Have you ever had a seizure --

7 A. I'm sorry. When I got in the
8 ambulance, they shot me up with something. I
9 didn't even know where I was.

10 Q. Have you had a seizure at any point
11 after this collision?

12 A. No, except for in the hospital.

13 Q. But no seizure since you got out of the
14 hospital?

15 A. No. They had me on an antiseizure
16 pill, Keppra.

17 Q. How many prescription medications do
18 you currently take per day?

19 A. Four.

20 Q. What are they?

21 A. Entecavir is for the Hepatitis B,
22 Keppra for the seizures, and the Jakafi and
23 Hydroxyurea for the brain.

24 Q. Say those last two.

25 A. Jakafi.